

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**RAYMOND LIZANA**

**PLAINTIFF**

**VERSUS**

**CIVIL ACTION NO. 1:08cv501-LTS-MTP**

**STATE FARM FIRE & CASUALTY COMPANY**

**DEFENDANT**

**ORDER**

This matter is before the court on the Defendant's Motions [55][56] for Protective Order. The court, having considered the motions, finds that they should be granted.

Plaintiff's Notices of Rule 30(b)(6) video deposition of State Farm Fire and Casualty Company ("State Farm") [49] and IT representative(s) [50] and issuance of deposition subpoenas duces tecum were filed October 30, 2009, with depositions scheduled for December 14, 2009 and December 15, 2009. The Notice [49] of 30(b)(6) deposition for State Farm contains some 65 separate topics, with numerous subparts, and the Notice [50] of 30(b)(6) IT deposition has a 7-page attachment listing 22 "technical definitions" applicable to 10 numbered areas of inquiry, with subparts.

Defendant's Motions [55][56] seek to limit the areas of inquiry in the depositions to policies and procedures directly related to its adjustment of Plaintiff's claim, and present objections to particular topics it contends exceed the bounds of discovery regarding Plaintiff's claim. Plaintiff has filed a single 25-page Response [57] to both motions.

Substantially similar motions pending in other cases involving the same firms in this matter and involving the same issues were recently addressed. *See Marion S. Lebon and Lisa Cowand v. State Farm Fire & Casualty Company*, 1:08-cv-509-LTS-RHW, Order [84]; and *New Light Baptist Church v. State Farm Fire & Casualty Company*, 1:08-cv-560-HSO-RHW, Order [68]. The court agrees with the reasoning set forth in Order [68] in the *New Light Baptist Church* case and finds that the best course of action in this matter is to require Plaintiff to review

the court's Orders [200, 228, 231] in *Marion v. State Farm*, 1:06cv969-LTS-RHW, and the court's Order [117] in *Perkins v. State Farm*, civil action no. 1:07cv116-LTS-RHW regarding the appropriate scope of reasonable discovery, and to revise and confine his notices of deposition in this case to areas of inquiry which relate to the specific claims in Plaintiff's complaint consistent with the court's prior rulings in *Marion* and *Perkins*. The court also directs Plaintiff, after reviewing the orders, to confer with defense counsel in a good faith effort to agree on the scope of the depositions. Defendant is not foreclosed from challenging Plaintiff's revised notices should it deem such action necessary. Should counsel be unable to comply with these directives prior to the scheduled December depositions, the court will entertain a motion to quash those depositions.

IT IS, THEREFORE, ORDERED AND ADJUDGED:

That the Defendant's Motions [55][56] for Protective Order are GRANTED.

SO ORDERED this the 20th day of November, 2009.

s/ Michael T. Parker  
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United States Magistrate Judge